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May 7, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554

RE: MM Docket No. 93-48

Office of the Secretary:

The American Academy of Pediatrics is pleased to provide comment on the Federal Communications Commission's Notice of Inquiry issued on March 2, 1993. The Academy represents over 45,000 pediatricians committed to the health and welfare of the nation's infants, children, adolescents and young adults. The AAP has educated its membership for several decades about the benefits, as well as the negative aspects, posed by television viewed by children.

The AAP applauds the FCC for exploring how the rules and policies of the FCC might be revised to more clearly identify the levels and types of programming necessary for broadcasters to meet their obligation to provide educational programs for children. We believe that children are not being well served by most of the programs currently offered by broadcasters to the child audience. The majority of children's programming is developed to convert children into consumers. Programs that are built around a popular toy constitute a commercial for the toy. Such programs do not serve children's best interests. The AAP believes that targeting children in this manner is misleading and deceptive and are not in the public interest.

The broadcasters should place their primary reliance in establishing compliance with the Children's Television Act on standard length programming that is specifically designed to serve the educational and informational needs of children, and should accord short-segment programs secondary importance. The AAP applauds the efforts of producers who have included pro-social messages at the end of their programs, because our experience suggests that efforts to promote pro-social behavior to children are essential and must be concrete in nature. However, in many cases, the pro-social message follows a program in which the behaviors of the characters contradict directly the

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pro-social content of the message at the end of the program. For example, many cartoons consist of characters engaged in multiple acts of aggression or violence. This observation emphasizes the importance of the requirement that the program itself be educational and informational, and not rely on a pro-social message before or after the program that is contradicted by program content.

The AAP worked for over a decade with concerned members of Congress to enact the Children's Television Act. We were disappointed that the law did not specify the number of hours of programming required of a broadcaster to serve the broadcaster's obligations to its child audience. The current action of the FCC to examine the regulations to implement the law will benefit all concerned. Broadcasters will clearly know what is expected of them, and parents and children will have additional viewing options specifically designed to enrich the lives of the child audience.

The Academy agrees with the FCC that since no time guidelines were mandated, the scope of broadcast programming obligations to children may be unclear. The FCC notes that over 90 percent of broadcasters comply with advertising limits because commercial restrictions are clearly limited to 12 minutes per hour on weekdays and 10.5 minutes per hour on weekends. We strongly believe core programming should be at least a half-hour in length, and that a minimum of one hour per day of core programming be shown. Ideally, a mechanism should be developed to identify these programs. The AAP believes that explicit program requirements will produce the same degree of adherence as the limits on commercials.

The same reasoning applies to programs that are less explicitly child oriented, such as reruns of adult comedy sitcoms that are cited as programs meeting the broadcasters' obligation to

product is sold within two years of the program's inception, and which therefore can be differentiated from successful programs that later market spin-off products. The AAP believes that program-length commercials should not be cited to fulfill the needs of children specified by the CTA. The hearings prior to the legislation also emphasized the conclusion that program-length commercials did not meet the goals that Congress sought.

The FCC stated in their 1991 regulations that some standard length programs specifically designed to serve the educational and informational needs of children must be aired to fulfill a licensee's obligations under the CTA. The AAP agrees that all stations have a responsibility to fulfill the intent of the CTA legislation. Short vignettes and PSAs do not meet this obligation. Furthermore, as the AAP argued in its original statement, other programming aimed at children within the community does not absolve or diminish the responsibility of the station to air its own material. Likewise, the AAP emphatically agrees that the intent of the legislation is to produce more alternatives for parents who are concerned about what their children view. Those most in need of additional choices are those Americans who cannot afford cable, for whom no alternative to broadcast television exists. We believe that the availability of alternative children's programs is clearly in the interest of children, and therefore in the public interest.

Stations should air programs that meet the needs of all children and adolescents of approximately 16 years of age and younger. (We use the word "approximately" because pediatricians measure the growth of children by developmental steps rather than age. Developmental steps include the ability to distinguish fantasy from reality, or to think in abstract rather than concrete terms.) The AAP is concerned about the needs of all children, but feel young children require the most protection, because they are most at risk for deceptive advertising practices. Programs for each age group need not be aired each day, but such programs should be addressed at some point during the week and at times when that age group will be watching television. Although not all children of the same age watch television at the same time,

broadcasters to comply with the CTA.

In an area not discussed by the statute or the regulations, we would also encourage the FCC to utilize the review of programs for station license renewal to ensure that the programs are